REMARKS

[0002] Applicant respectfully requests reconsideration and allowance of all of the claims of the application. The status of the claims is as follows:

- Claims 16, 20, 21, and 30-33 are currently pending.

- Claims 18, 19, and 34 are canceled herein.

- No claims are withdrawn herein.

- Claims 16, 20, 30, 32, and 33 are amended herein.

- No claims are added herein.

[0003] Support for the amendments to the claims is found in the specification at least at page 13, lines 9-24 and in canceled claims 18 and 19.

Elections/Restrictions

[0004] On pages 2 to 3 of the Office Action, the Examiners restricts the claims based on Applicant's previous amendments and constructively elects a number of the pending claims, withdrawing the others. Applicant traverses the restriction and thus the constructive election. Applicant specifically reserves the right to petition under 35 CFR 1.144 upon the Restriction Requirement being made final.

[0005] For a restriction to be proper, the claims must be directed to two or more independent and distinct inventions (37 CFR 1.142, see also MPEP 802.01). Claims 16, 18-21, and 30-34 do not, however, address two independent and distinct inventions. The two claim sets determined by the Examiner – claims 16, 18-21, and 32 and claims

30, 31, 33, and 34 – include many of the same claim recitations and thus cannot be said to be "unrelated" and independent. Further, the similar operations and effects provided by the two claim sets (both store and retrieve configuration information) indicate that the claims are not "distinct" from each other. Because, the two claim sets are not independent and distinct, restriction between the sets of claims is improper.

[0006]   Further, even when claims include two independent and distinct inventions, the Examiner must examine all the claims on the merits if such a search can be made without a serious burden (see MPEP 803). Applicant respectfully submits that a search can be made here without a serious burden. Prosecution of this case has consumed four previous office actions and their responses, two RCEs, and the current office action. Substantially all the searching that needs to be done has been done. And the additional recitations, including "overriding household configuration information" will not require a substantial new search because the searched claims already include recitations directed to "configuration information" and to replacing that configuration information with modified configuration information.

[0007]   Thus, for at least the foregoing reasons, Applicant respectfully requests that the Examiner withdraw the restriction requirement and reinstate the constructively withdrawn claims.

[0008]   Additionally, to further prosecution, Applicant has amended the claims to remove the language objected to by the Examiner, removing references to "overriding." Thus, at least in view of the amendments to the claims, Applicant again respectfully requests that the restriction be withdrawn.

Cited Documents

[0009]   The following documents have been applied to reject one or more claims of the Application:

- **Dudkiewicz**:   Dudkiewicz, Gil G., U.S. Patent Application Publication No. 2004/0177370

- **Florence**:   Florence, Michael, U.S. Patent Application Publication No. 2002/0188948

Claims 16, 18-21, and 32 Are Non-Obvious Over Dudkiewicz in view of Florence

[0010]   Claims 16, 18-21, and 32 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Dudkiewicz in view of Florence. Applicant respectfully traverses the rejection.

Independent Claim 16

[0011]   In light of the amendments presented herein, Applicant submits that the rejection of independent claim 16 is moot. Specifically, the cited documents do not teach or suggest at least the claimed (with emphasis added):

> …identifying the requested configuration information associated with the client device based on the received identifier, ***wherein the requested configuration information is household configuration information shared by the plurality of client devices in the household***;
> communicating the household configuration information to the client device from the first configuration server;

communicating video data to the client device for display on a display device *in accordance with the household configuration information, the household configuration including a parental lock prohibiting communication and display of an additional video program*;

receiving modified configuration information from the client device at the first configuration server;

storing the modified configuration information at the first configuration server, the modified configuration information differing from the household configuration information and from configuration information associated with the other client devices in the household;

receiving a second request for configuration information associated with the client device from a second configuration server; and

communicating the modified configuration information to the second configuration server from the first configuration server.

[0012]   In rejecting claim 1, the Examiner cites a number of passages and figures of Dudkiewicz. These passages and figures describe and show a head-end that is capable of storing viewer preference data that can be retrieved by a set-top box based on a profile ID (see para. 25). The head-end is capable of storing multiple profiles each associated with its own viewer preference data for a set-top box. Viewers can update this viewer preference data through their set-top boxes and through web pages.

[0013]   However, there is no description in Dudkiewicz of anything resembling "household configuration information shared by the plurality of client devices in the household." The viewer preference data in Dudkiewicz is specific to a set-top box and thus cannot be shared by a "plurality of client devices in [a] household."

[0014] Further, Dudkiewicz makes no mention of parental locks, much less of "household configuration including a parental lock prohibiting communication and display of an additional video program."

[0015] Additionally, Applicant respectfully submits that the new recitations of claim 16 have not been previously presented and thus have not been rejected by the Examiner. At least by virtue of the addition of these recitations to claim 16, the rejection of claim 16 is overcome.

[0016] Consequently, the cited documents do not teach or suggest all of the elements and features of this claim. Accordingly, Applicant respectfully requests that the rejection of this claim be withdrawn.

Independent Claim 32

[0017] Claim 32 is patentable over the cited documents at least for reasons similar to those provided above with regard to claim 16.

Dependent Claims 18-21

[0018]   Claims 18 and 19 are canceled, thus obviating their rejections.

[0019]   Claims 20 and 21 ultimately depend from independent claim 16. As discussed above, claim 16 is patentable over the cited documents. Therefore, claims 20 and 21 are also patentable over the cited documents of record for at least their dependency from a patentable base claim. These claims may also be patentable for the additional features that each recites.

Claims 30, 31, and 33 Are Patentable Over the Cited Documents

[0020]   Claims 30, 31, and 33 have not been rejected. Applicant respectfully submits that these claims are patentable over the cited documents at least for reasons similar to those provided above with regard to claim 16.

Conclusion

[0021]   For at least the foregoing reasons, all pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application.

[0022]   If any issues remain that would prevent allowance of this application, **Applicant requests that the Examiner contact the undersigned representative before issuing a subsequent Action.**

Respectfully Submitted,

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